

COMMISSIONERS
KRISTIN K. MAYES – Chairman
GARY PIERCE
PAUL NEWMAN
SANDRA D. KENNEDY
BOB STUMP



0000098155

Executive Director

ORIGINAL

ARIZONA CORPORATION COMMISSION

DATE: OCTOBER 1, 2009

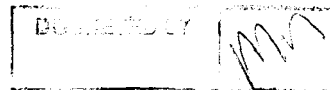
Arizona Corporation Commission

DOCKETED

DOCKET NO: T-02944A-08-0368

OCT - 1 2009

TO ALL PARTIES:



Enclosed please find the recommendation of Administrative Law Judge Belinda A. Martin. The recommendation has been filed in the form of an Order on:

AZMETRO COMMUNICATIONS, INC.
(CANCELLATION OF CC&N)

Pursuant to A.A.C. R14-3-110(B), you may file exceptions to the recommendation of the Administrative Law Judge by filing an original and thirteen (13) copies of the exceptions with the Commission's Docket Control at the address listed below by **4:00** p.m. on or before:

OCTOBER 13, 2009

The enclosed is NOT an order of the Commission, but a recommendation of the Administrative Law Judge to the Commissioners. Consideration of this matter has tentatively been scheduled for the Commission's Open Meeting to be held on:

OCTOBER 20 AND OCTOBER 21, 2009

For more information, you may contact Docket Control at (602)542-3477 or the Hearing Division at (602)542-4250. For information about the Open Meeting, contact the Executive Director's Office at (602) 542-3931.

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2009 OCT - 1 A 9:00

AZ CORP COMMISSION
DOCKET CONTROL

ERNEST G. JOHNSON
EXECUTIVE DIRECTOR

1200 WEST WASHINGTON STREET; PHOENIX, ARIZONA 85007-2927 / 400 WEST CONGRESS STREET; TUCSON, ARIZONA 85701-1347

www.azcc.gov

This document is available in alternative formats by contacting Shaylin Bernal, ADA Coordinator, voice phone number 602-542-3931, E-mail SABernal@azcc.gov

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 **COMMISSIONERS**

3 KRISTIN K. MAYES, Chairman
4 GARY PIERCE
5 PAUL NEWMAN
6 SANDRA D. KENNEDY
7 BOB STUMP

8 IN THE MATTER OF THE APPLICATION
9 OF AZMETRO COMMUNICATIONS, INC.
10 FOR THE APPROVAL OF THE SALE OF
11 ASSETS AND/OR CANCELLATION OF THE
12 CERTIFICATE OF CONVENIENCE AND
13 NECESSITY TO PROVIDE CUSTOMER-
14 OWNED PAY TELEPHONE SERVICE IN
15 THE STATE OF ARIZONA.

DOCKET NO. T-02944A-08-0368

DECISION NO. _____

ORDER

11 Open Meeting
12 October 20 and 21, 2009
13 Phoenix, Arizona

14 **BY THE COMMISSION:**

15 Having considered the entire record herein and being fully advised in the premises, the
16 Arizona Corporation Commission ("Commission") finds, concludes, and orders that:

17 **FINDINGS OF FACT**

18 1. AZMetro Communications, Inc. ("Applicant" or "Company") has a Certificate of
19 Convenience and Necessity ("Certificate") to provide customer-owned pay telephone ("COPT")
20 service in the State of Arizona pursuant to Decision No. 59653 (May 15, 1996).

21 2. On July 18, 2008, the Applicant filed with the Commission an application for
22 cancellation of the Certificate ("Application").

23 3. On September 22, 2009, the Commission's Utilities Division Staff ("Staff") filed a
24 Staff Report, recommending approval of the Application and cancellation of the Applicant's
25 Certificate without a hearing.

26 4. According to Staff, on July 17, 2009, Staff contacted Andrew Follmer, part owner of
27 the Company, and verified that Gregg Reichman, also part owner of the Company, is authorized to
28 submit the Application. Staff also verified that the Applicant does not wish to have a hearing in order
to cancel the Certificate.

6. Staff noted that Consumer Services also reported that the Applicant is not in good standing with the Corporations Division of the Commission and that the Applicant had changed its name to GFOL, Inc. Staff stated that the Applicant was administratively dissolved on May 5, 2004, for failure to file its annual reports.

7. Staff's recommendation is reasonable and should be adopted.

1. The Applicant is a public service corporation within the meaning of Article XV of the Arizona Constitution and A.R.S. §§ 40-281 and 40-282.

2. The Commission has jurisdiction over the Applicant and the subject matter of the Application.

3. The cancellation of the Applicant's Certificate is in the public interest.

4. Pursuant to A.R.S. § 40-282, the Commission may issue Decisions regarding COPT Certificates without a hearing.

5. Staff's recommendation is reasonable and should be adopted.

[illegible]

ORDER

IT IS THEREFORE ORDERED that the Application of AZMetro Communications, Inc., for the cancellation of the Certificate of Convenience and Necessity to provide customer-owned pay telephone service shall be, and is hereby, approved.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

CHAIRMAN

COMMISSIONER

COMMISSIONER

COMMISSIONER

COMMISSIONER

IN WITNESS WHEREOF, I, ERNEST G. JOHNSON, Executive Director of the Arizona Corporation Commission, have hereunto set my hand and caused the official seal of the Commission to be affixed at the Capitol, in the City of Phoenix, this _____ day of _____, 2009.

ERNEST G. JOHNSON
EXECUTIVE DIRECTOR

DISSENT _____

DISSENT _____

1 SERVICE LIST FOR: AZMETRO COMMUNICATIONS, INC.

2 DOCKET NO.: T-02944A-08-0368

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